

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Courtney Martin,

Case No. 3:22-cv-1115

Plaintiff,

v.

ORDER

Commissioner of Social Security,

Defendant.

Before me is the Report and Recommendation (“R & R”) of Magistrate Judge Amanda M. Knapp filed on May 31, 2023. (Doc. No. 9). Under the relevant statute:

Within [fourteen (14)] days after being served a copy of these proposed Findings and Recommendation, any party who wishes to object must file and serve written objections or further appeal is waived.

United States v. Campbell, 261 F.3d 628, 631-32 (6th Cir. 2001) (citation omitted); *see also* 28 U.S.C. § 636(b)(1) (effective Dec. 1, 2009); Fed. R. Civ. P. 72(b)(2). In this case, the fourteen-day window for objections has elapsed, Plaintiff has filed no objections, and the Commissioner has indicated he will not be filing objections. (Doc. No. 11).

Following review of Judge Knapp’s R & R, I adopt it in its entirety as the Order of the Court. I agree that the ALJ failed to discuss much of the relevant evidence related to Plaintiff’s mental health but selected records that do not give a wholly accurate picture of her treatment. This shortcoming tainted both the ALJ’s findings as to the paragraph “B” criteria of Listings 12.04, 12.06, and/or 12.15 and the residual functional capacity determination.

Accordingly, the ALJ's decision on these issues is vacated and the matter is remanded. As directed by Judge Knapp, on remand, the ALJ shall:

(1) provide a full and accurate explanation of the evidence and reasoning that forms the basis for her findings as to the paragraph "B" criteria Listings 12.04, 12.06, and/or 12.15, including clear and complete consideration of Ms. Martin's treatment records with the RHC Psychiatry Clinic through December 31, 2018; (2) reassess whether Ms. Martin meets the specified Listings in light of that analysis; and (3) provide a full and accurate explanation of the evidence and reasoning that forms the basis for her mental RFC limitations.

(Doc. No. 9 at 1, 42).

So Ordered.

s/ Jeffrey J. Helmick
United States District Judge